

REMARKS

Applicants submit this Amendment in reply to the Office Action mailed December 16, 2005. By this Amendment, Applicants have amended claims 1, 20, and 27; and added new claim 37. Accordingly, claims 1, 3-28, and 30-38 are pending in this application. The originally-filed specification, drawings, and claims fully support the subject matter of amended claims 1, 20, and 27; and new claim 37. Thus, this Amendment introduces no new matter.

As an initial matter, Applicants thank the Examiner for allowing claims 26 and 31-36. In the Office Action, claims 1 and 3-25 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In particular, the Office Action indicated that subject matter recited in amended claims 1 and 20 was not supported by the original specification. Applicants have amended claims 1 and 20 as suggested by the Examiner, and respectfully request withdrawal of the section 112, first paragraph rejection against claims 1 and 3-25.

Also in the Office Action, claims 1, 3, 5-7, 9, 14, 15, 20, and 21 were rejected under 35 U.S.C. 102(b) as being anticipated by the Japanese reference JP 06-146852 (JP '852.) Additionally, claims 11-13 and 23-25 were rejected under 35 U.S.C. 103(a) as being unpatentable over JP '852 absent a proper showing of criticality or unexpected results in the claimed range, and claims 27-28 and 30 were rejected under 35 U.S.C. 103(a) as being unpatentable over WO 94/07008 to Beines ("Beines") in view of U.S. Patent No. 4,954,263 to Woodhouse ("Woodhouse.") Applicants respectfully traverse these rejections for the reasons stated below.

Initially, Applicants note that the Patent Office bears the initial burden of presenting a prima facie case of unpatentability. M.P.E.P. § 2142. Prior art anticipates only if each and every element as set forth in the claims is found described in the prior art. M.P.E.P. § 2131. And a prima facie case of obviousness requires, inter alia, that the prior art references, when combined, must teach or suggest every aspect of the claims. M.P.E.P. § 2143.

JP '852 does not disclose or suggest each and every aspect of independent claim 1, as amended. For example, JP '852 fails to disclose a gas flow tube-stack placed in axial alignment with, but spaced apart from, the upstream end of the filter. JP '852 discloses two sets of plasma treatment electrodes with an AC power supply for connecting with both plasma treatment electrodes, and impressing alternating voltage between them, making both plasma treatment inter-electrode generate discharge through the at least one section of a filter. JP '852 specification translation at paragraphs 9-11. No where does JP '852 disclose, among other aspects, a gas flow tube-stack placed in axial alignment with, but spaced apart from, the upstream end of the filter, as recited in amended claim 1. Accordingly, Applicants respectfully requests withdrawal of the Section 102(b) rejection against claim 1.

With respect to dependent claims 3-19, the additional teachings relied upon by the Examiner do not overcome the deficiencies noted above regarding JP '852. Accordingly, Applicants submit that dependent claims 3-19 are allowable for at least the same reasons that independent claim 1 is allowable.

For similar reasons presented above, JP '852 does not disclose or suggest, for example, providing a gas flow tube-stack placed in axial alignment with, but spaced

apart from, the upstream end of the filter, as recited in amended claim 20. Accordingly, Applicants request that the rejection of independent claim 20 be withdrawn.

With respect to dependent claims 21-25, the additional teachings relied upon by the Examiner do not overcome the deficiencies noted above regarding JP '852. Accordingly, Applicants submit that dependent claims 21-25 are allowable for at least the same reasons that independent claim 20 is allowable.

Regarding independent claim 27, Beines, does not disclose or suggest each and every aspect of the claim. Beines discloses filter regeneration by spark discharge but fails to disclose any electrodes upstream from any portion of the filter. As conceded in the Office Action, Beines fails "to disclose at least one first electrode for producing an atmospheric glow discharge located near to but spaced apart upstream from an upstream end of the filter or downstream from a downstream end of the filter." (Office Action at 5.) Amended claim 27 recites among other aspects, an electrode arrangement for producing atmospheric glow discharges, including at least one first electrode for producing the atmospheric glow discharge located near to but spaced apart upstream from an upstream end of the filter.

Moreover, Woodhouse fails to remedy this deficiency in Beines. Woodhouse simply discloses a method of treating fluids to induce coagulation of particles including subjecting the fluid to the influence of a repulsive magnetic field. Abstract of Woodhouse. Woodhouse neither discloses nor suggests an electrode arrangement for producing atmospheric glow discharges, including at least one first electrode for producing the atmospheric glow discharge located near to but spaced apart upstream from an upstream end of the filter or downstream from a downstream end of the filter, as

required in claim 27. Accordingly, Applicants respectfully requests withdrawal of the Section 103(a) rejection against claim 27.

Claims 28 and 30 depend from independent claim 27 and are allowable for at least the same reasons that claim 27 is allowable. Accordingly, Applicants respectfully requests withdrawal of the Section 103(a) rejection against claims 28 and 30.

In view of the foregoing remarks, Applicants submit that the claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request withdrawal of the rejections and timely allowance of all pending claims.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, and drawings in this Amendment, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1, 3-28, and 30-38 in condition for allowance. Applicants submit that the proposed amendments of claims 1, 20, and 27 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

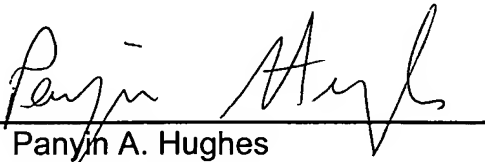
Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: March 10, 2006

By: _____


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